

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated October 5, 2005 (U.S. Patent Office Paper No. 092805). In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claim 4 is being canceled without prejudice or disclaimer, while claims 2, 7, 10 and 12 are being amended to correct formal errors and to more particularly point out and distinctly claim the subject invention. Claim 1 stands withdrawn from consideration in this application. Applicant hereby submits that no new matter is being introduced into the application through the submission of this response.

Formal Objections or Rejections

The Examiner rejected claims 5-12 under 35 U.S.C. § 112, second paragraph, as being indefinite in claiming the invention. Language throughout the claims was cited as being indefinite or lacking in proper antecedent basis. As outlined above, the claims are being amended in accordance with the Examiner's requirements, thereby obviating this formal rejection.

Prior Art Rejections

The Examiner rejected claims 2-3 under 35 U.S.C. §102(e) as being anticipated by Fu et al. (US Patent No. 6,863,847), and alternatively under 35 USC §103(a) as being unpatentable over Fu '847. The Examiner also rejected claims 2-3 under 35 U.S.C. §102(e) as being anticipated by Ito et al. (US Patent No. 6,096,159), and alternatively under 35 USC §103(a) as being unpatentable over Ito '159.

However, the Examiner noted that that claim 4 would be allowed if rewritten in independent form including limitations of the base claim and all intervening claims, and claims 7-12 would be allowed if rewritten to overcome the following 112 rejection.

Again, the claims are being amended in accordance with the Examiner's requirements, thereby obviating the formal rejection. Further, claim 4 is being canceled and incorporated into claim 2, thereby rendering claim 2 allowable over the prior art of record. The rejections based on the prior art of record are hereby rendered moot.

Conclusion

In view of all the above, Applicant respectfully submits that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Office Action rely. These differences are more than sufficient that the present invention as now claimed would not have been anticipated nor rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and phone number indicated below.

Respectfully submitted,

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